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CONGRESSIONAL PROGRESSIVE CAUCUS
CHAIR EMERITUS

Congress of the United States
House of Representatives
Washington, DC 20515-0307

WEBSITE: <http://grijalva.house.gov/>

1511 Longworth HOB
Washington, DC 20515
Phone (202) 225-2435 | Fax (202) 225-1541

101 W. Irvington Rd., BLDG. 4
Tucson, AZ 85714
Phone (520) 622-6788 | Fax (520) 622-0198

146 N. State Ave.
P.O. Box 4105
Somerton, AZ 85350
Phone (928) 343-7933 | Fax (928) 343-7949

1412 N. Central Ave., Suite B
Avondale, AZ 85323
Phone (623) 536-3388 | Fax (623) 535-7479

FACEBOOK: [Facebook.com/Rep.Grijalva](https://www.facebook.com/Rep.Grijalva)
TWITTER: [Twitter.com/RepRaulGrijalva](https://twitter.com/RepRaulGrijalva)
INSTAGRAM: [Instagram.com/RepRaulGrijalva](https://www.instagram.com/RepRaulGrijalva)

March 18, 2022

Joseph V. Cuffari
Inspector General
Office of Inspector General
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528

Dear Inspector General Cuffari,

I write to respectfully request comprehensive independent investigations into the incidents involving U.S. Border Patrol that resulted in the unjust killing of Carmelo Cruz-Marcos near Cochise County and the Border Patrol vehicle pursuit in Santa Cruz County that resulted in the death of two and injury of four unnamed migrants in a rollover crash. Additionally, I request to be notified when individuals die under U.S. Customs and Border Protection custody, especially within the state of Arizona.

On February 19, 2022, Cruz-Marcos and a group of migrants trekked through Skull Canyon when two Border Patrol agents approached them. The migrants were apprehended, and Cruz-Marcos was shot an unknown number of times by an unidentified Border Patrol agent after Cruz-Marcos allegedly picked up a rock and made a throwing motion. The threat of this rock was brutally met with the power of multiple bullets. The autopsy report released by Pima County Medical Examiner shows that Cruz-Marcos was hit by two bullets in the cheek, one in the chest, and one in the abdomen. This horrific incident occurred less than a year after Marisol García Alcántara was shot in the head by a Border Patrol agent in Nogales on June 16, 2021.

On March 7, 2022, Border Patrol agents engaged in the vehicle pursuit of a pickup truck with six migrants in Santa Cruz County. The truck was run off the road causing it to roll over, crash, and eject some of the migrants. Two migrants were killed and four sustained life-threatening injuries. The motive for the pursuit and the identities of the migrants and Border Patrol agents involved are unknown. Unfortunately, this is not an isolated incident and the American Civil Liberties Union of Texas found that deaths resulting from Border Patrol vehicle pursuits have risen dramatically from two in 2019 to twenty-two in 2021.¹

¹ [Fact Sheet: The Deadly Trend of Border Patrol Vehicle Pursuits | ACLU of Texas | We defend the civil rights and civil liberties of all people in Texas, by working through the legislature, the courts, and in the streets. \(aclutx.org\)](#)

It is reprehensible and unacceptable that these incidents have occurred. The agents responsible must be held accountable and these migrants and their families deserve justice. I request the Department of Homeland Security, Office of Inspector General conduct independent investigations into these unjust killings. Additionally, I request that the U.S. Congress and the public be notified of all deaths that take place in U.S. Customs and Border Protection custody.

Thank you for consideration and I look forward to hearing from you.

Sincerely,



Raúl M. Grijalva
Member of Congress

CC:

Chris Magnus, Commissioner, U.S. Customs and Border Protection